

COLE SCHOTZ P.C.

Michael D. Sirota, Esq.
Warren A. Usatine, Esq.
Felice R. Yudkin, Esq.
Court Plaza North, 25 Main Street
Hackensack, New Jersey 07601
(201) 489-3000
msirota@coleschotz.com
wusatine@coleschotz.com
fyudkin@coleschotz.com

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)
Emily E. Geier, P.C. (admitted *pro hac vice*)
Derek I. Hunter (admitted *pro hac vice*)
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
joshua.sussberg@kirkland.com
emily.geier@kirkland.com
derek.hunter@kirkland.com

*Co-Counsel for Debtors and
Debtors in Possession*

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-13359 (VFP)

(Jointly Administered)

**CERTIFICATION OF NO OBJECTION TO
MONTHLY FEE STATEMENT OF COLE SCHOTZ P.C.**

MICHAEL D. SIROTA, of full age, hereby certifies as follows:

¹ The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://cases.ra.kroll.com/BBBY>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

1. I am an attorney-at-law of the State of New Jersey and a member of the firm of Cole Schotz P.C. (“**Cole Schotz**”), counsel for the within debtors and debtors-in-possession (the “**Debtors**”).

2. I submit this Certification pursuant to the May 17, 2023 *Administrative Fee Order Establishing Procedures for the Allowance and Payment of Interim Compensation and Reimbursement of Expenses of Professionals Retained by Order of This Court* [Docket No. 377] (the “**Administrative Order**”).

3. The Administrative Order provides that each professional retained in this case pursuant to 11 U.S.C. § 327, and to the extent applicable, §§ 328(a) and 1103, may file monthly fee statements on or before the thirtieth (30th) day of each calendar month seeking compensation for services rendered and reimbursement of expenses incurred during the immediately preceding month (each a “**Monthly Fee Statement**”).

4. Pursuant to the Administrative Order, an objection to a Monthly Fee Statement must be filed and served on the Professional applying for fees, as well as on certain other parties designated therein, not later than fourteen (14) days after service of said Monthly Fee Statement (the “**Objection Deadline**”). Upon the expiration of the Objection Deadline, a Professional applying for fees may file and serve a certification of no objection or a certification of partial objection with the Court, whichever is applicable, after which the Debtors are authorized to pay such Professional an amount equal to the lesser of: (i) eighty percent (80%) of the fees and one hundred percent (100%) of the expenses requested in the Monthly Fee Statement; or (ii) eighty percent (80%) of the fees and one hundred percent (100%) of the expenses not subject to an objection.

5. On October 11, 2023, Cole Schotz filed its Monthly Fee Statement for the period covering September 1 through September 30, 2023 [Docket No. 2426] (the “**September 2023 Monthly Fee Statement**”). Pursuant to the Administrative Order, objections to the September 2023 Monthly Fee Statement were due by **October 25, 2023**.

6. To the best of my knowledge, information and belief, no objections have been filed to the September 2023 Monthly Fee Statement.

7. Accordingly, the plan administrator appointed pursuant to the *Second Amended Joint Chapter 11 Plan of Bed Bath & Beyond Inc. and its Debtor Affiliates* [Docket No. 2160] should be instructed to pay Cole Schotz eighty (80%) percent of the fees and one hundred (100%) percent of the expenses requested in the September 2023 Monthly Fee Statement.

/s/ Michael D. Sirota

MICHAEL D. SIROTA

DATED: October 26, 2023